

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

AVERY MUHAMMAD,

Plaintiff,

v.

24-CV-879 (JLS)

SKAVON ANDREWS,

Defendant.

ORDER

Pro se plaintiff Avery Muhammad submitted a complaint containing allegations about the alleged wrongful death of Rawleigh Andrews. *See* Dkt. 1.

A party seeking to bring a civil action in federal court ordinarily must pay a \$350 filing fee, 28 U.S.C. § 1914, and an additional administrative fee of \$55.¹ But a litigant may ask to avoid the fees by moving for leave to proceed *in forma pauperis* (“IFP”). 28 U.S.C. § 1915(a)(1); *Humphrey v. U.S. Army Corps. of Eng’rs*, No. 21-CV-1901, 2021 WL 1837791, at *1 (E.D.N.Y. May 7, 2021) (“The federal *in forma pauperis* statute allows indigent litigants to file lawsuits without prepaying the filing fees”). Under 28 U.S.C. 1915(a)(1), the IFP motion must include an affidavit or affirmation establishing that the plaintiff is unable to pay the fees and costs for the proceeding.

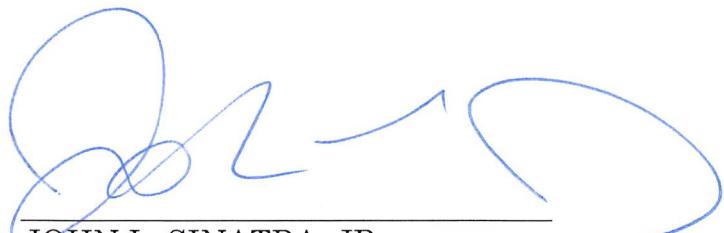
¹ See <https://www.uscourts.gov/services-forms/fees/district-court-miscellaneous-fee-schedule>.

Here, Plaintiff neither paid the filing fee nor applied to proceed IFP. To proceed with this case, Plaintiff must either pay the \$405 filing fee to the Clerk of Court of the Western District of New York or submit an application establishing that Plaintiff qualifies to proceed IFP. If Plaintiff does not do so, this case will be dismissed.

For these reasons,

IT IS HEREBY ORDERED that, by **May 1, 2025**, Plaintiff either shall pay the \$405 filing fee to the Court, or submit a complete IFP motion; and it is further ORDERED that, if Plaintiff does not pay the filing fee or submit a complete IFP motion by May 1, 2025, this action will be dismissed, and the Clerk of Court will close the case without further order of the Court; and it is further ORDERED that the Clerk of Court shall mail to Plaintiff, along with a copy of this order, a form IFP motion, with supporting affirmation.²

Dated: April 1, 2025
Buffalo, New York



JOHN L. SINATRA, JR.
UNITED STATES DISTRICT JUDGE

² The form motion is available at <http://www.nywd.uscourts.gov/pro-se-forms>.